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ARCHWAY BROADWAY LOAN SPE, LLC  
7

8 **UNITED STATES BANKRUPTCY COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **LOS ANGELES DIVISION**  
11

12 In re  
13 SEATON INVESTMENTS, LLC, *et al.*,  
14 Debtors and Debtors-in-  
15 Possession.

16 Affects:

- 17 ☐ All Debtors  
18 ☐ Seaton Investments, LLC  
☐ Colyton Investments, LLC  
19 ☒ Broadway Avenue Investments, LLC  
☐ SLA Investments, LLC  
20 ☐ Negev Investments, LLC  
☐ Alan Gomperts  
21 ☐ Daniel Halevy  
22 ☐ Susan Halevy

Lead Case No. 2:24-bk-12079-VZ

Jointly Administered with Case Nos.:

2:24-bk-12080-VZ; 2:24-bk-12081-VZ;  
2:24-bk-12082-VZ; 2:24-bk-12091-VZ;  
2:24-bk-12074-VZ; 2:24-bk-12075-VZ; and  
2:24-bk-12076-VZ

Chapter 11

**REQUEST FOR JUDICIAL NOTICE IN  
SUPPORT OF ARCHWAY BROADWAY  
LOAN SPE, LLC'S MOTION FOR  
RELIEF FROM AUTOMATIC STAY**

Date: October 29, 2024  
Time: 10:30 a.m.  
Crtrm.: 1368  
255 E. Temple Street  
Los Angeles, CA 90012

Hon. Vincent P. Zurzolo

FRANZEL ROBINS BLOOM & CSATO, L.C.  
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**TO THE HONORABLE VINCENT P. ZURZOLO, UNITED STATES  
BANKRUPTCY JUDGE, PARTIES IN INTEREST AND THEIR COUNSEL:**

Secured creditor, Archway Broadway Loan SPE, LLC, a Delaware limited liability company, successor in interest to Archway Real Estate Income Fund I REIT, LLC (“Archway”), submits this Request for Judicial Notice in support of its *Motion for Relief From Automatic Stay* (“Stay Relief Motion”) (Dkt. *pending*) filed in the lead case of those jointly-administered debtors, Seaton Investments, LLC (“Seaton”), Colyton Investments, LLC (“Colyton”), Broadway Avenue Investments, LLC (“Broadway”), SLA Investments, LLC (“SLA”), and Negev Investments, LLC (“Negev” and collectively with Seaton, Colyton, Broadway and SLA, the “Corporate Debtors”) and Alan Gomperts (“Mr. Gomperts”), Daniel Halevy (“Mr. Halevy”), and Susan Halevy (“Ms. Halevy” and collectively with Mr. Gomperts and Mr. Halevy, the “Individual Debtors” and collectively with the Corporate Debtors, the “Debtors”).

Pursuant to Rule 201 of the Federal Rules of Evidence, Archway requests that the Court take judicial notice of the following:

1. The Broadway Deed of Trust<sup>1</sup> recorded in the Los Angeles County Recorder’s Office on July 26, 2021, which recording was assigned document number 20211142009. Supplemental Declaration of Bobby Khorshidi (“Supplemental Khorshidi Declaration”), Exh. 2.
2. The March 19, 2024, voluntary chapter 11 petition of Broadway filed as Dkt. 1 in case number 2:24-bk-12081-VZ. Declaration of Paige S. Poupart (“Poupart Declaration”) Exh. 22.
3. The fact that on Broadway’s chapter 11 petition it self-designated this as a single asset real estate case as defined in 11 U.S.C. § 101(51B). *See* Chapter 11 Petition 2:24-bk-12081-VZ Dkt. 1 at ¶ 7. Poupart Declaration Exh. 22.
4. Broadway’s April 9, 2024, Schedules A/B and D (2:24-bk-12081-VZ Dkt. 22), reflecting Broadway’s valuation of the Property at \$11,500,000.00 and also reflecting that Archway is owed significantly more than that at over \$15 million. Poupart Declaration Exh. 23.

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<sup>1</sup> Defined terms have the same meaning as set forth in the concurrently-filed Memorandum of Points and Authorities.

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1           5.       The fact that 90 days after March 19, 2024, is June 17, 2024.

2           6.       The fact that the “Disclosure Statement and Plan of Reorganization” (“Joint Plan”)  
3 (Dkt. 107) was filed on June 18, 2024, which is more than 90 days after Broadway’s March 19,  
4 2024, petition date.

5           7.       The Grant Deed recorded on September 26, 2023, in the Los Angeles County  
6 Recorder’s Office, assigned document number 20230646027, reflecting a transfer of that certain  
7 real property located at 341 South Canon Drive, Beverly Hills, California 90212 (“Canon Drive  
8 Property”) from the Halevy Family Trust, dated September 8, 2010 (“Halevy Trust”) to an entity  
9 called 341 South Cannon LLC (“Cannon LLC”). Supplemental Khorshidi Declaration, Exh. 7.

10          8.       The fact that Ms. Halevy’s Schedule A/B (2:24-bk-12076-VZ Dkt. 40) reflects that  
11 (a) she is a 100% owner of Cannon LLC (Dkt. 40 at 7 of 40); (b) the value of that LLC is  
12 “unknown” (Dkt. 40 at 7 of 40); and (c) she is a trustee and beneficiary of the Halevy Trust  
13 (Dkt. 40 at 8 of 40).

14          9.       The fact that Cannon LLC is a California limited liability company that was formed  
15 on November 3, 2021, as entity number 202130910155, as per the LLC Registration – Articles of  
16 Organization filed on November 3, 2021, with the California Secretary of State. Supplemental  
17 Khorshidi Declaration, Exh. 8.

18          10.      The fact that Ms. Halevy is the sole member and manager of Cannon LLC, entity  
19 number 202130910155, as per the Statement of Information filed on September 5, 2023, with the  
20 California Secretary of State. Supplemental Khorshidi Declaration, Exh. 8.

21          11.      The Canon Drive Deed of Trust, which was recorded on September 26, 2023, in the  
22 Los Angeles County Recorder’s Office as document number 20230646028. Supplemental  
23 Khorshidi Declaration, Exh. 9.

24          12.      Individual Debtors’ Cash Collateral Motion, Dkt. 87 at 16:11–13 (providing that  
25 the Property does not generate rent).

26          13.      Mr. Gomperts’s Declaration, Dkt. 87 Exh. 9 at 55 (reflecting “N/A” postpetition  
27 cash collateral).

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14. Broadway’s Statement of Financial Affairs 2:24-bk-12081-VZ Dkt. 22 at ¶¶ 1–2 (reflecting no revenue since January of 2023).

15. The fact that the records of the California Secretary of State reflect that on September 8, 2023, Mr. Gomperts form three new entitles: Oakhurst Drive Investments, LLC (“Oakhurst LLC”), Canfield Avenue Investments, LLC (“Canfield LLC”), and Bagley Avenue Investments, LLC (“Bagley LLC” and collectively, the “Gomperts-LLCs”). *See* Poupart Decl., Exhs. 13–15.

16. The fact that the records of the Los Angeles County Recorder’s Office reflect that on September 21, 2024, grant deeds were recorded transferring (a) the real property located at 264 S. Oakhurst Drive, Beverly Hills, CA 90212 from the G&H Trust to the Oakhurst LLC; (b) the real property located at 2247 S. Canfield Ave., Los Angeles, CA 90034 from the G&H Trust to the Canfield LLC; and (c) the real property located at 2220 Bagley Ave., Los Angeles, CA 90034 from the G&H Trust to the Bagley LLC. *See* Poupart Decl., Exhs. 16–18.

17. The fact that the records of the California Secretary of State reflect that on March 11, 2024, various Short Form Certificate of Cancellation – LLC Termination forms were filed with the California Secretary of State regarding the Gomperts-LLCs. *See* Poupart Decl., Exhs. 19–21.

18. The fact that Mr. Gomperts’s schedules and Statement of Financial Affairs do not reflect the transfers referenced above.

DATED: October 8, 2024

FRANDZEL ROBINS BLOOM & CSATO, L.C.  
MICHAEL GERARD FLETCHER  
PAIGE S. POUPART

By: /s/ Michael Gerard Fletcher  
MICHAEL GERARD FLETCHER  
Attorneys for Secured Creditor  
ARCHWAY BROADWAY LOAN SPE, LLC